REMARKS

Reconsideration and allowance of this application are respectfully requested.

Applicants note with appreciation the Examiner's allowance of claims 1-11 an any indication of allowable subject matter claims 14 and 15.

Claim 12 stands rejected under 35 U.S.C. §102(e) as being anticipated by Agahi-Kesheh, (U.S. Patent No. 6,430,402). This rejection is respectfully traversed.

Agahi-Kesheh fails to disclose all the features recited in independent claim 12. For example, Agahi-Kesheh fails to disclose "a memory for storing an association between different power consumption values and respective digital control signal values." The Examiner refers to column 8, lines 28-48 and column 9, lines 18-28. No memory is recited here. All that is described is that when the current reaches I_{SAFE}, a digital signal processor 321 limits the digital reference signal 319 to the value which produced the corresponding current I_{SAFE}. The Examiner is requested to explain how this operation relates to storing "an association between different power consumption values and respective digital control signal values." The column 8 text describes a single digital reference signal value which corresponds to one I_{SAFE} value. There are no different power consumption values associated with respective digital control signal values.

The Examiner also refers to column 9, lines 18-28. This text describes a different embodiment in which different I_{SAFE} values can be stored through different battery voltages. Presumably, the Examiner is contending that different battery voltages correspond to different power consumption values and that the corresponding I_{SAFE} values correspond to respective digital control signal values. Assuming that this is the case, Agahi-Kesheh still fails to disclose a controller arranged to "determine an amount of electric energy remaining in the battery based on at least one

power consumption value stored in the memory, said at least one power consumption value being associated with a value of the monitored digital control signal."

The Examiner refers to column 8, lines 12-48. All that is described here is that the digital signal processor limits the digital reference signal so that the current stays below the corresponding I_{SAFE} value. Agahi-Kesheh's invention is directed to keeping the current output--even at low voltages-- at a sufficiently low value to prevent the power amplifier from saturating. Agahi-Kesheh is not all concerned with determining the amount of electric energy remaining in the battery. There is certainly no teaching of Agahi-Kesheh determining the amount of electric energy remaining in the battery based on a particular battery voltage corresponding to an I_{SAFE} value.

Lacking all the features required by independent claim 12, the rejections based on Agahi-Kasheh should be withdrawn. The application is in condition for allowance. An early notice to that effect is respectfully solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____
John R. Lastova
Reg. No. 33,149

JRL:lcb
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100